

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LOCAL 22 INTERNATIONAL )  
BROTHERHOOD OF ELECTRICAL )  
WORKERS, INTERNATIONAL )  
BROTHERHOOD OF ELECTRICAL ) 8:06CV550  
WORKERS LOCAL UNION NO. 22 )  
AND NATIONAL ELECTRICAL )  
CONTRACTORS ASSOCIATION, )  
Nebraska, Chapter Health and Welfare )  
Plan, IBEW LOCAL 22/NECA )  
PENSION PLAN A, IBEW LOCAL )  
22/NECA DEFINED CONTRIBUTION )  
PLAN B, OMAHA BROTHERHOOD OF )  
ELECTRICAL WORKERS LOCAL NO. ) ORDER  
22 VACTION-HOLIDAY TRUST FUND, )  
and RONALD L. MILLER, in his )  
representative capacity as a fiduciary of )  
the Plaintiff Funds, )  
Plaintiffs, )  
v. )  
JUBILEE PARTNERS, LLC, and )  
TELSTAR ELECTRIC, Company, Inc., )  
Defendants. )  
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)

This matter is before the court on plaintiffs' joint motion for summary judgment, Filing No. 35. On February 28, 2008, Michael T. Mortensen and Soren S. Jensen, attorneys for defendants Jubilee Partners, LLC d/b/a Vision Contracting, and Telstar Electric Co., Inc., filed a motion to withdraw as counsel. Filing No. 43. United States Magistrate Judge Thomas D. Thalken entered a subsequent order holding Mortensen and Jensen's request in abeyance until March 31, 2008, and ordering Defendants to have substitute counsel enter an appearance on defendants' behalf on or before March 31,

2008. Filing No. 45. On March 24, 2008, Mortensen and Jensen advised the court that defendants were no longer in business and that former representatives of defendants' corporation advised Mortensen and Jensen that defendants will not retain substitute counsel. Filing No. 48. Judge Thalken subsequently granted Mortensen and Jensen's motion to withdraw as counsel on March 24, 2008. Filing No. 49. As a result, the Deputy Clerk of Court entered an order of default against defendants on March 24, 2008. Filing No. 50.

IT IS ORDERED that plaintiffs' motion for summary judgment, Filing No. 35, is denied as moot. Plaintiffs are ordered to submit a motion, supporting brief, and proposed order for judgment and damages to the court within thirty (30) days of the date of this order.

DATED this 31<sup>st</sup> day of March, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge